

**CHAPTER 124****FAMILY INVESTMENT PROGRAM REQUIREMENTS***S.F. 254*

**AN ACT** revising family investment program requirements.

*Be It Enacted by the General Assembly of the State of Iowa:*

**DIVISION I****GENERAL FAMILY INVESTMENT PROGRAM CHANGES**

Section 1. Section 239B.1, subsection 10, Code 2007, is amended to read as follows:

10. "Participant" means a person who is receiving full or partial family investment program assistance. For the purposes of sections 239B.8 and 239B.9, "participant" also includes each individual who does not directly receive assistance but who is required to be engaged in work or training options specified in the participant's family investment agreement entered into under section 239B.8.

Sec. 2. Section 239B.4, subsection 1, Code 2007, is amended to read as follows:

1. The department is the state entity designated to administer federal funds received for purposes of the family investment program and the JOBS program under this chapter, including, but not limited to, the funding received under the federal temporary assistance for needy families block grant as authorized under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, as reauthorized under the federal Deficit Reduction Act of 2005, Pub. L. No. 109-171, and as codified in 42 U.S.C. § 601 et seq., and as such is the lead agency in preparing and filing state plans, state plan amendments, and other reports required by federal law.

Sec. 3. Section 239B.7, subsection 1, Code 2007, is amended to read as follows:

1. **WORK EXPENSE DEDUCTION.** If an individual's earned income is considered by the department, the individual shall be allowed a work expense deduction equal to twenty percent of the earned income. The work expense deduction is intended to include all work-related expenses other than child care. These expenses shall include but are not limited to all of the following: taxes, transportation, meals, uniforms, and other work-related expenses. ~~However, the work expense deduction shall not be allowed for an individual who is subject to a sanction for failure to comply with family investment program requirements.~~

Sec. 4. Section 239B.7, subsection 5, Code 2007, is amended to read as follows:

5. **INCOME CONSIDERATION.** If an individual has timely reported an absence of income to the department, consideration of the individual's income shall cease beginning in the first month the income is absent. ~~However, this provision shall not apply to an individual who has quit employment without good cause as defined in rules.~~

Sec. 5. Section 239B.8, subsection 2, Code 2007, is amended to read as follows:

2. **AGREEMENT OPTIONS.** A family investment agreement shall require an individual who is subject to the agreement to participate engage in one or more of the work or training options enumerated in this subsection. An individual's level of participation engagement in one or more of the work or training options shall be equivalent to the level of commitment required for full-time employment or shall be significant so as to move the individual's level of participation engagement toward that level. The department shall adopt rules for each option defining option requirements and establishing assistance provisions for child care, transportation, and other support services. A leave from engagement in work or training options shall be offered to a participant parent to address the birth of a child or the placement of a child with

the participant parent for adoption or foster care. If such a leave is requested by the parent the combined duration of the leave shall not exceed the minimum leave duration, as outlined in the federal Family and Medical Leave Act of 1993, § 102(a) and (b)(1), as codified in 29 U.S.C. § 2612(a) and (b)(1). The terms of the leave shall be incorporated into the family investment agreement. The work or training options shall include but are not limited to all of the following:

- a. Employment. Full-time or part-time employment.
- b. Employment search. Active job search.
- c. JOBS. Participation in the JOBS program.
- d. Education. Participation in other education or training programming.
- e. Family development. Participation in a family development and self-sufficiency grant program under section 217.12 or other family development program.
- f. Work experience. Work experience placement.
- g. Community service. Unpaid community service. ~~Community service shall be authorized in any nonprofit association which has been determined under section 501(c)(3) of the Internal Revenue Code to be exempt from taxation or in any government agency. Upon request, the department shall provide a listing of potential community service placements to an individual. However, an individual shall locate the individual's own placement and perform the number of hours required by the agreement. The individual shall file a monthly report with the department which is signed by the director of the community service placement verifying the community service hours performed by the individual during that month. The department shall develop a form for this purpose.~~
- h. Any other Parenting skills. Participation in an arrangement which would strengthen the individual's ability to be a better parent, including but not limited to participation in a parenting education program. Parental leave from employment shall be authorized for a parent of a child who is less than three months of age. An opportunity to participate in a parental education program shall also be authorized for such a parent. ~~An individual who is not a parent who is nineteen years of age or younger or a parent of a child who is less than three months of age shall simultaneously participate in at least one other option enumerated in this subsection.~~
- i. Family or domestic violence. Participation in a safety plan to address or prevent family or domestic violence. The safety plan may include a temporary waiver period from required participation in the JOBS program or other employment-related activities, as appropriate for the situation of the applicant or participant. All applicants and participants shall be informed regarding the existence of this option. Participation in this option shall be subject to review in accordance with administrative rule.
- j. Incremental family investment agreements. If an individual participant or the entire family has an acknowledged barrier, the ~~individual's or family's~~ plan for self-sufficiency may be specified in one or more incremental family investment agreements.

DIVISION II  
FAMILY INVESTMENT PROGRAM WORK INCENTIVE  
DISREGARD

Sec. 6. Section 239B.7, subsection 2, Code 2007, is amended to read as follows:

2. WORK-AND-EARN INCENTIVE. If an individual's earned income is considered by the department, the individual shall be allowed a work-and-earn incentive. The incentive shall be equal to ~~fifty~~ fifty-eight percent of the amount of earned income remaining after all other deductions are applied. The department shall disregard the incentive amount when considering the earned income available to the individual. The incentive shall not have a time limit. The work-and-earn incentive shall not be withdrawn as a penalty for failure to comply with family investment program requirements.

Approved May 9, 2007

**CHAPTER 125****ASBESTOS REMOVAL AND ENCAPSULATION***S.F. 265*

**AN ACT** relating to asbestos removal and encapsulation regulations as enforced by the labor commissioner.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 88B.1, subsection 1, Code 2007, is amended to read as follows:

1. "Asbestos project" means an activity involving the removal or encapsulation of asbestos and affecting a building or structure. "Asbestos project" includes the preparation of the project site and all activities through the transportation of the asbestos-containing materials off the premises. "Asbestos project" includes the removal or encapsulation of building materials containing asbestos from the site of a building or structure renovation, demolition, or collapse.

Sec. 2. Section 88B.11, Code 2007, is amended to read as follows:

88B.11 BIDS FOR GOVERNMENTAL PROJECTS.

A state agency or political subdivision shall not accept a bid in connection with any asbestos project from a business entity that does not hold a permit from the division at the time the bid is submitted, unless the business entity provides the state agency or political subdivision with written proof that ensures that the business entity has contracted to have the asbestos removal or encapsulation performed by a licensed asbestos contractor.

Sec. 3. **NEW SECTION.** 88B.2 JURISDICTION OF OTHER AGENCIES.

This chapter shall not be construed to prevent the department of natural resources from implementing and enforcing the federal national emission standard for asbestos under 40 C.F.R. pt. 61, subpt. M, and other relevant provisions of environmental law.

Approved May 9, 2007

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**CHAPTER 126****SUBSTANTIVE CODE CORRECTIONS***S.F. 333*

**AN ACT** relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 2C.11, Code 2007, is amended to read as follows:

2C.11 SUBJECTS FOR INVESTIGATIONS.

1. An appropriate subject for investigation by the office of the citizens' aide is an administrative action that might be:

1. a. Contrary to law or regulation.